



UNITED STATES PATENT AND TRADEMARK OFFICE

MN

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,827	07/07/2004	Anuroop Shahi	36-1822	9011
23117 7590 07/24/2007 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			EXAMINER HUQ, FARZANA B	
			ART UNIT 2109	PAPER NUMBER
			MAIL DATE 07/24/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/500,827

Applicant(s)

SHAH ET AL.

Examiner

Farzana Huq

Art Unit

2109

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. Claims 1-8 are presented for examination.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The Foreign application has been filed in application no. PCT/GB02/00090, filed on 01/14/2003, and a European application no. 02250380.9, given the priority date of January 31, 2002.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 07/07/2004 was filed with the mailing date of the 07/07/2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner (see attached PTO-1449).

Inventorship

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim Objections

5. Claims 1 and 4 is objected to because of the following informalities: Claims limitation “a store for parameters of the virtual terminal ...” should read as “a store for parameters in the virtual terminal ...” for the purpose of better understanding of the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Riggins et al. hereinafter Riggins (U.S. patent 6131116), in view of Rosenblatt et al. hereinafter Rosenblatt (U.S. patent 6263363).

7. As per claim 1, Riggins discloses a communications system arranged such that connections to a first terminal supporting a communications session on the first terminal may be diverted during the course of the session such that the session may be continued on a second terminal (col. 1 lines 18-27, col. 2 lines 47-57, col. 7 lines 60-67), the communications system comprising: a server device for processing calls (col. 1 lines 62 - col. 2 lines 1-7, col. 3 lines 59-67), means for creating a user profile on the server device, the user profile identifying a plurality of terminals (col. 3 lines 15-29 and lines 49-58, col. 5 lines 22-56), means for generating from the user profile a set of parameters defining a terminal said parameters being details of a current communications session made using a first terminal (col. 5 lines 29-56, col. 6 lines 24-36 and

Art Unit: 2109

lines 50-66), means for diverting on instructions from a user device, the routing of a communications connection supporting the session from the first terminal to a second terminal (col. 3 lines 15-28, col. Col. 6 liens 50-66, col. 7 lines 45-58), means for transferring the details of the current session to the second terminal for use in continuing the session (col.3 lines 30-40, col. 7 lines 13-25, col. 8 lines 4-18), but he does not explicitly disclose means for generating from the user profile a set of parameters defining a virtual terminal and a store for parameters of the virtual terminal, said parameters being details of a current communications session made using a first terminal. However, in the same field of endeavor Rosenblatt discloses generating from the user profile a set of parameters defining a virtual terminal and storing parameters of the virtual terminal, said parameters being details of a current communications session made using a first terminal (col. 2 lines 49-53, col. 2 lines 66 – col. 3 lines 1-8 and lines 15-24, col. 5 lines 64- col. 6 lines 1-26, col. 8 lines 55-65).

Accordingly, it would be obvious to one of ordinary skill in the computer networking art at the time of invention was made to have incorporated Rosenblatt's teachings of system and method for creating an internet-accessible working replica of a home computer on a host server controllable by a user operating a remote access client computer with the teachings of Riggins, for the purpose of suitably accessing virtual terminals from a remote network according to user specific preferences (col. 2-8).

8. As per claim 2, Riggins discloses apparatus comprising means for storing information relating to each of the plurality of terminals, and means for adapting the details of the current communications session in accordance with the terminal to which the session is to be diverted on

Art Unit: 2109

receipt of a diversion instruction (col. 3 lines 15-40, col. 4 lines 19-27, col. 5 lines 21-56, col. 6 lines 50-66, col. 7 lines 45-56).

9. As per claim 3, Riggins discloses apparatus comprising means for translation of a session into a data handling protocol suitable for the terminal (col. 6 lines 50-66, col. 7 lines 60 - col. 8 lines 1-18).

10. As per claim 4, Riggins discloses a method of operating a communications system such that a connection to a first terminal supporting a communications session on the first terminal may be diverted during the course of the session such that the session may be continued on a second terminal (col. 1 lines 18-27, col. 2 lines 47-57, col. 7 lines 60-67), comprising the steps of: creating a user profile on a server device, the user profile identifying a plurality of terminals (col. 3 lines 15-29 and lines 49-58, col. 5 lines 22-56), generating from the user profile a set of parameters defining a terminal and storing parameters of the terminal details of a current communications session made using a first terminal (col. 5 lines 29-56, col. 6 lines 24-36 and lines 50-66), on instruction from the user, diverting the routing of a communications connection supporting the session from the first terminal to a second terminal (col. 3 lines 15-28, col. 6 lines 50-66, col. 7 lines 45-58), and transferring the details of the current session to the second terminal for use in continuing the session (col. 3 lines 30-40, col. 7 lines 13-25, col. 8 lines 4-18), but he does not explicitly disclose generating from the user profile a set of parameters defining a virtual terminal, storing, as parameters of the virtual terminal, details of a current communications session made using a first terminal. Exemplary of this is Rosenblatt, discloses generating from the user profile a set of parameters defining a virtual terminal, storing, as parameters of the virtual terminal, details of a current communications session made using a first

Art Unit: 2109

terminal (col. 2 lines 49-53, col. 2 lines 66 – col. 3 lines 1-8 and lines 15-24, col. 5 lines 64- col. 6 lines 1-26, col. 8 lines 55-65).

The same motivation that was utilized in the combination of claim 1 applies equally as well to claim 4.

11. As per claim 5, Riggins discloses a method comprising the further steps of storing information relating to each of the plurality of terminals, and on receipt of a diversion instruction adapting the details of the current communications session in accordance with the terminal to which the session is to be diverted (col. 3 lines 15-40, col. 4 lines 19-27, col. 5 lines 21-56, col. 6 lines 50-66, col. 7 lines 45-56).

12. As per claim 6, Riggins discloses a method wherein the session is translated into a data handling protocol suitable for the terminal (col. 6 lines 50-66, col. 7 lines 60 - col. 8 lines 1-18).

13. As per claims 7 and 8, Riggins discloses a method wherein the diversion of routing is initiated by an instruction transmitted from the first terminal to the second terminal, causing the second terminal to transmit an instruction to the server device (col. 3 lines 15-28, col. 6 lines 50-6, col. 7 lines 48- col. 8 lines 18).

Conclusion

14. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references

Art Unit: 2109

in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

15. The prior art made of record, in PTO-892 form, and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farzana Huq whose telephone number is (571) 270-3223. The examiner can normally be reached on Monday - Friday: 7:30am - 5:00pm EST.

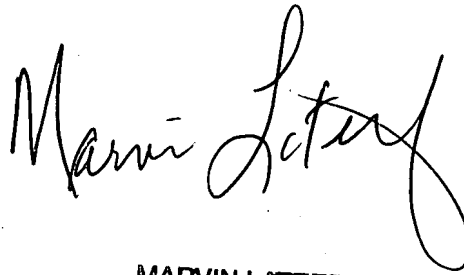
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marvin Lateef can be reached on (571) 272-5026. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2109



Farzana Huq
AU 2109



MARVIN LATEEF
SUPERVISORY PATENT EXAMINER